

APPROVED: Meeting No. 45-95

ATTEST: *Paula S. Jewell*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
Meeting No. 39-95

July 31, 1995

The Mayor and Council of Rockville, Maryland, convened in Worksession in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland, on July 31, 1995, at 7:35 p.m.

PRESENT

Mayor James F. Coyle

Councilmember Robert E. Dorsey

Councilmember James Marrinan

Councilmember Rose G. Krasnow

ABSENT

Councilmember Nina A. Weisbroth
(Maternity Leave)

In attendance: City Manager Rick Kuckkahn, City Clerk Paula Jewell, City Attorney Paul Glasgow, Community Development Director Neal Herst, Chief of Planning Lisa Rother, and Recreation and Parks Director Burt Hall.

Re: Text Amendment Application
TXT95-0147

Mr. Kuckkahn noted the provisions of the annexation of the King Farm as it related to the proposed Text Amendment. The Mayor and Council discussed the proposed Text Amendment application and the following issues:

(1) Montgomery County Transitway Study - Discussion centered around the proposed transitway and what would happen if the County did not fund such until much later--how will this affect development as development begins. Councilmember Marrinan asked that staff provide more information on the proposed northern transitway.

(2) Sec. 25-645, "Limitations on development of density" - Councilmember Krasnow questioned how the 0.75 maximum floor area ratio was calculated. She commented that 0.75 was over-flexible and she suggested that this be looked at. Suggestion was made that the maximum floor area ratio be limited to commercial and industrial development.

Councilmember Marrinan commented that staff's July 27 letter to Harriet Manley was very helpful and he suggested that staff do something similar for other groups.

Staff to find out what the logic was in using the 0.75 figure for calculating the density when the original CPD was done. City Attorney Glasgow proposed that additional language be added that Mayor and Council approval be given for exceeding the maximum allowable ratio.

3. Green Area Definition - On page 7 of the Text Amendment, Councilmember Krasnow asked that staff think about the description of "green area." She expressed concern that the developer not mis-use the concept and take away open space.

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Re: Annexation Petition X-110-91
and Proposed Annexation
Agreement

The following annexation issues were discussed:

- (1) Park and Recreation Area Lighting - Councilmember Marrinan referred to page 25 of the revised agreement and said he was concerned that the language "recreation areas shall not be lighted" was too restrictive.
- (2) Public vs. Private Roads - This has the potential for becoming a big issue for the City--what happens when a homeowner's association can not financially maintain the private roads. The Mayor and Council agreed that the issue needs to be worked out for the final annexation agreement.
- (3) Sewer/Water Capacity - Staff to determine whether the City needs to have a written memorandum of understanding from WSSC, regarding the treatment capacity issue.
- (4) Moderately Priced Dwelling Units (MPDUs) - Mayor Coyle suggested that concurrence language be built into the agreement so that MPDUs are developed concurrently with other City development. Councilmember Krasnow suggested that "up to a maximum of 400 Moderate Priced Dwelling Units" be included in the provision regarding market rate dwelling units.

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Re: Adjourn to Executive
Session

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, with Mayor Coyle, Councilmembers Dorsey, Krasnow, and Marrinan voting "aye," the Mayor and Council adjourned at 9:13 p.m. to reconvene immediately following in Executive Session, pursuant to Section 10-508(a)(7) of the State Government Article, Annotated Code of Maryland to obtain legal advice from counsel.